

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 22, 2023**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	No. 2:22-cr-00147-MKD-1
vs.	)	
	)	
JASON CARNELL O'DAFFER,	)	
	)	
Defendant.	)	
_____	)	

Received Rule 5 papers from the United States District Court,  
Northern District of California.

CLOSED

**U.S. District Court  
California Northern District (San Francisco)  
CRIMINAL DOCKET FOR CASE #: 3:22-mj-71610-MAG-1**

Case title: USA v. O'Daffer

Date Filed: 12/19/2022

Date Terminated: 03/21/2023

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Assigned to: Magistrate Judge

**Defendant (1)**

**Jason Carnell O'Daffer**  
*TERMINATED: 03/21/2023*

represented by **Karthik Raju**  
Federal Public Defender  
Northern District of California  
450 Golden Gate Avenue, 19th Floor  
San Francisco, CA 94102  
(415) 436-7700  
Email: [karthik\\_raju@fd.org](mailto:karthik_raju@fd.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or Community*  
*Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

18 U.S.C. § 1343 – Wire Fraud  
(Counts 1–2); 18 U.S.C. § 287 –  
False, Fictitious, or Fraudulent  
Claims (Count 3)

**Disposition**

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**Plaintiff**

**USA**

represented by **David J. Ward**  
U.S. Department of Justice, Antritrust  
Division  
San Francisco Field Office  
450 Golden Gate Avenue  
Room 10-0101, Box 36046  
San Francisco, CA 94102  
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LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED  
 Designation: Assistant US Attorney

**George Hageman**  
 DOJ-USAO  
 450 Golden Gate Avenue  
 San Francisco, CA 94102  
 415-436-6511  
 Email: [george.hageman@usdoj.gov](mailto:george.hageman@usdoj.gov)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED  
 Designation: Assistant US Attorney

Date Filed	#	Docket Text
12/19/2022	<u>1</u>	Notice of Proceedings on Out-of-District Criminal Charges Pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure as to Jason Carnell O'Daffer (1). (tn, COURT STAFF) (Filed on 12/19/2022) (Additional attachment(s) added on 12/19/2022: # <u>1</u> Indictment) (tn, COURT STAFF). (Additional attachment(s) added on 12/19/2022: # <u>2</u> Arrest Warrant) (tn, COURT STAFF). (Entered: 12/19/2022)
12/20/2022	<u>2</u>	Sealed Document. No NEF issued. (tn, COURT STAFF) (Filed on 12/20/2022) (Entered: 12/20/2022)
03/21/2023	4	CLERK'S NOTICE SETTING HEARING as to Jason Carnell O'Daffer Initial Appearance set for 3/21/2023 at 10:30 AM in San Francisco, Courtroom 14, 18th Floor before Magistrate Judge Lisa J. Cisneros. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (bns, COURT STAFF) (Filed on 3/21/2023) (Entered: 03/21/2023)
03/21/2023	<u>5</u>	Minute Entry for proceedings held before Magistrate Judge Lisa J. Cisneros: Initial Appearance as to Jason Carnell O'Daffer held on 3/21/2023. Added attorney George Hageman for USA, Karthik Raju for Jason Carnell O'Daffer. Status Conference set for 4/4/2023 at 10:30 AM in San Francisco, Courtroom 14, 18th Floor before Magistrate Judge Lisa J. Cisneros. Recording Time: 10:48- 11:01. (tn, COURT STAFF) (Filed on 3/21/2023) (Entered: 03/21/2023)
03/21/2023	<u>6</u>	WAIVER of Rule 5 & 5.1 Hearings by Jason Carnell O'Daffer (tn, COURT STAFF) (Filed on 3/21/2023) (Entered: 03/21/2023)
03/21/2023	<u>7</u>	<b>COMMITMENT TO ANOTHER DISTRICT as to Jason Carnell O'Daffer. Defendant committed to District of Eastern District of Washington. Signed by Magistrate Judge Lisa J. Cisneros on 3/21/2023. (tn, COURT STAFF) (Filed on 3/21/2023) (Entered: 03/21/2023)</b>
03/21/2023	8	NOTICE OF CRIMINAL CASE TRANSFER.  Case transfer from California Northern to Eastern District of Washington of a Rule 5, Rule 32, or Rule 40 Appearance as to Jason Carnell O'Daffer. Your case number is: 2:22-cr-00147-MKD. Public transfer documents are accessible and can be retrieved by your court via PACER. Under seal or otherwise restricted documents will be emailed directly. Please send acknowledgement of receipt, including the case number, to InterDistrictTransfer_CAND@cand.uscourts.gov <i>If you wish to designate a different email address for future transfers, send your request to the national list host at InterDistrictTransfer_TXND@txnd.uscourts.gov.</i> (tn, COURT STAFF) (Filed on 3/21/2023) (Entered: 03/21/2023)

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United States Attorney

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Chief, Criminal Division

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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 3:22-mj-71610 MAG
Plaintiff,	)	NOTICE OF PROCEEDINGS ON OUT-OF-
v.	)	DISTRICT CRIMINAL CHARGES PURSUANT TO
JASON CARNELL O'DAFFER,	)	RULES 5(c)(2) AND (3) OF THE FEDERAL
Defendant.	)	RULES OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure that on December 18, 2022, the above-named defendant was arrested pursuant to an arrest warrant (copy attached) issued upon an:

- ☒ Indictment
- ☐ Information
- ☐ Criminal Complaint
- ☐ Other (describe)

pending in the Eastern District of Washington, Case Number 22-CR-00147 MKD.

In that case (copy of indictment attached), the defendant is charged with a violations of Title 18 United States Code, Section 1343 (Wire Fraud) and Section 287 (False Claims).

**FILED**

Dec 19 2022

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

Description of Charges: The Indictment alleges that beginning no later than on or about November 9, 2021, and continuing through at least on or about May 9, 2022, in the Eastern District of Washington and elsewhere, the defendant devised and intended to devise a scheme to defraud the U.S. Small Business Administration's Economic Injury and Disaster Loan (EIDL) program, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises. The Indictment further alleges that as part of the scheme, the defendant caused to be transmitted wire communications in interstate commerce. The Indictment further alleges that defendant made and presented claims to the SBA regarding and in an EIDL loan application, knowing those claims were false and fraudulent.

The maximum penalties are as follows: For wire fraud in violation of 18 U.S.C. § 1343, the maximum penalty is 20 years imprisonment, a \$250,000 fine, three years of supervised release, forfeiture and restitution, and a \$100 special assessment per count. For false claims in violation of 18 U.S.C. § 287, the maximum penalty is five years imprisonment, a \$250,000 fine, three years of supervised release, forfeiture, restitution and a \$100 special assessment.

Respectfully Submitted,

STEPHANIE M. HINDS  
UNITED STATES ATTORNEY

Date: December 19, 2022

/s/ David J. Ward  
DAVID J. WARD  
Assistant United States Attorney

DOCUMENTS UNDER SEAL <input type="checkbox"/>		DEPUTY CLERK Brittany Sims		REPORTER/FTR Liberty Recording: 10:48- 11:01	
MAGISTRATE JUDGE MINUTE ORDER		DATE March 21, 2023		NEW CASE <input type="checkbox"/> CASE NUMBER 22-mj-71610-MAG	
MAGISTRATE JUDGE Lisa J. Cisneros					
<b>APPEARANCES</b>					
DEFENDANT Jason Carnell O'Daffer		AGE 39	CUST Y	P/NP P	ATTORNEY FOR DEFENDANT Karthik Raju
U.S. ATTORNEY George Hageman		INTERPRETER		<input type="checkbox"/> FIN. AFFT SUBMITTED	<input checked="" type="checkbox"/> COUNSEL APPT'D
PROBATION OFFICER	PRETRIAL SERVICES OFFICER Pepper Friesen	DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>	
<b>PROCEEDINGS SCHEDULED TO OCCUR</b>					
<input checked="" type="checkbox"/> INITIAL APPEAR Rule 5.	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION		<input type="checkbox"/> JUGM'T & SENTG	<input type="checkbox"/> STATUS TRIAL SET
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING		<input type="checkbox"/> IA REV PROB. or or S/R	<input type="checkbox"/> OTHER
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA		<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING
<b>INITIAL APPEARANCE</b>					
<input checked="" type="checkbox"/> ADVISED OF RIGHTS	<input checked="" type="checkbox"/> ADVISED OF CHARGES	<input checked="" type="checkbox"/> NAME AS CHARGED IS TRUE NAME		<input type="checkbox"/> TRUE NAME:	
<b>ARRAIGNMENT</b>					
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE		<input type="checkbox"/> WAIVER OF INDICTMENT FILED	
<b>RELEASE</b>					
<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$		SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$		CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>	
<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input checked="" type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
ORDER REMOVED TO THE DISTRICT OF Eastern District of Washington					
<b>PLEA</b>					
<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY		GUILTY TO COUNTS: <input type="checkbox"/>	
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED		OTHER:	
<b>CONTINUANCE</b>					
TO: 4/4/2023	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING		<input type="checkbox"/> STATUS RE: CONSENT	<input type="checkbox"/> TRIAL SET
AT: 10:30 a.m.	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING		<input type="checkbox"/> CHANGE OF PLEA	<input checked="" type="checkbox"/> STATUS
BEFORE HON. Cisneros	<input type="checkbox"/> DETENTION HEARING	<input type="checkbox"/> ARRAIGNMENT		<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING		<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING
<b>ADDITIONAL PROCEEDINGS</b>					

The defendant waives his right to an identity hearing, signed waiver submitted to the Court.



## UNITED STATES DISTRICT COURT

for the

United States of America

v.



Defendant

Case No.

22-mj-71610 MAG

Charging District's Case No.

WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) \_\_\_\_\_

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my  
☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

3/21/23



Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

JASON CARNELL O'DAFFER,

Defendant.

Case No. 3:22-mj-71610-MAG-1 (LJC)

Charging District's Case No.

2:22-cr-00147-MKD

**COMMITMENT TO ANOTHER DISTRICT**

The defendant has been ordered to appear in the Eastern District of Washington

The defendant: ( ) will retain an attorney.

(X) is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States Marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States Marshal for that district, or to another officer authorized to receive the defendant. The Marshal or officer of the charging district should immediately notify the United States Attorney and the Clerk of the Clerk for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The Clerk of this district must promptly transmit the papers and any bail to the charging district.

Dated: March 21, 2023

  
LISA J. CISNEROS  
United States Magistrate Judge